

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Bruce L. Daugherty, et al.



Serial No. 10/767,521

Filed: January 29, 2004

For: EOSINOPHIL EOTAXIN RECEPTOR

Art Unit: _____

Examiner: _____

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR 1.97

Sir:

1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).

2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.

4. Pursuant to the waiver by the Office of the requirement under 37 CFR 1.98 (a)(2)(i) dated July 11, 2003, if the filing date of this application is after June 30, 2003, copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MERCK & CO., INC.

By Patricia J. Richards Date 05/06/2004



INFORMATION DISCLOSURE STATEMENT

5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120 are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

RELATED APPLICATION		
U. S. SERIAL NUMBER	FILING DATE	MERCK CASE
09/922,895	September 6, 2001	19834YDA

If this is inconvenient, additional copies will be submitted upon request.

6. In accordance with 37 C.F.R. 1.97, (check one)

- ☐ the attached information is filed within three months of the filing date of the captioned case.
- ☒ the attached information is filed more than three months after the filing date but prior to the mailing of a first Office Action on the merits.
- ☐ the attached information is being filed more than three months after the filing date and after the mailing of a first Office Action on the merits, but before the mailing date of a Final Action or Notice of Allowance. The enclosed authorization is therefore given to charge Deposit Account No. 13-2755 for the fee required under 37 C.F.R. 1.17(p).
- ☐ the undersigned certifies that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.
- ☐ the undersigned certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated under 37 C.F.R. 1.56(c) more than three months prior to the filing of this Statement.

Respectfully submitted,



By: Mollie M. Yang

Attorney _____ For Applicant(s)

Reg. No. 32,718

MERCK & CO., INC.

Patent Dept., RY60-30

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Rahway, N.J. 07065-0907

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Date: _____

STATEMENT BY APPLICANT

Use as many sheets as necessary)

1

of

2

10/767.521

January 29, 2004

Bruce L. Daugherty

1646

Attorney Docket Number

19634YDACA

[illegible][illegible]

Date Considered

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>			COMPLETE IF KNOWN		
			Application Number	10/767,521	
			Filing Date	January 29, 2004	
			First Named Inventor	Bruce L. Daugherty	
			Group Art Unit	1646	
			Examiner Name		
Sheet	2	of	2	Attorney Docket Number	19634YDACA

NON PATENT LITERATURE DOCUMENTS		
Examiner Initials*	Cite No.	Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.
		PONATH, ET AL.--EOTAXIN. J. CLIN. INVEST., VOL. 97, NO. 3, PP. 604-612, 1996
		PONATH, ET AL.--J. EXP. MED., VOL. 183, PP. 2437-2448, 1996
		DAUGHERTY, ET AL.--J. EXP. MED., VOL. 183, PP. 2349-2354, 1996
		VAN DAMME, ET AL.--J. EXP. MED., VOL. 176, PP. 59-65, 1992
		BAGGIOLINO--J. CLIN. INVEST., VOL. 97(3), P. 587, 1996
		COMBADIERE, ET AL.--J. BIOL. CHEM., VOL. 270(27), PP. 16491-16494, 1995
		COMBADIERE, ET AL.--J. BIOL. CHEM., ADDITIONS AND CORRECTIONS, VOL. 270(27), PP. 16491-16494, 1995
		KITA, ET AL.--J. EXP. MED., VOL. 183, PP. 2421-2426, 1996
		KITAURA, ET AL.--J. BIOL. CHEM., VOL. 271(13), PP. 7725-7730, 1996

Examiner Signature		Date Considered	
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*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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